

HOUSE BILL 2949

By Lynn

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3; Title 4, Chapter 5; Title 37, Chapter 5, Part 1; Title 43; Title 44; Title 45, Chapter 1, Part 1; Title 62; Title 63; Title 68 and Title 71, Chapter 1, Part 1, relative to licenses, certifications, and registrations.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 62-76-101, is amended by designating the existing language as subsection (a) and by adding the following language as a new subsection (b):

(b) Each board, commission, agency or other governmental entity created pursuant to this title shall:

(1) Notify each holder of a license, certification or registration from such board, commission, agency or other governmental entity where to obtain a copy of any statutes, rules, policies, and guidelines that regulate such holder and are implemented or enforced by such entity and shall, upon request, make available to the holder a copy of such statutes, rules, policies, and guidelines.

(2) Annually notify each holder of a license, certification or registration from such board, commission, agency or other governmental entity of changes in state law that impact such holder and are implemented or enforced by such entity including newly promulgated or amended statutes, rules, policies, and guidelines.

(c) Each board, commission, agency or other governmental entity created pursuant to this title shall establish and maintain a link or links on such entity's website to the statutes, rules, policies, and guidelines that are implemented or enforced by such entity and that impact an applicant for, or a holder of, a license, certification, or registration from such entity.

SECTION 2. Tennessee Code Annotated, Section 62-76-101(a), is amended by deleting the language "statutes and rules and regulations" wherever it may appear and by substituting instead the language "statutes, rules, policies, and guidelines".

SECTION 3. Tennessee Code Annotated, Section 63-1-139, is amended by designating the current language as subsection (a) and by adding the following language as a new subsection (b):

(b) Each board, commission, committee, agency or other governmental entity created pursuant to this title; title 68, chapter 24; and title 68, chapter 140, part 5, shall:

(1) Notify each holder of a license, certification or registration from such board, commission, committee, agency or other governmental entity where to obtain a copy of any statutes, rules, policies, and guidelines that regulate such holder and are implemented or enforced by such entity and shall, upon request, make available to the holder a copy of such statutes, rules, policies, and guidelines.

(2) Annually notify each holder of a license, certification or registration from such board, commission, committee, agency or other governmental entity of changes in state law that impact such holder and are implemented or enforced by such entity including newly promulgated or amended statutes, rules, policies, and guidelines.

(c) Each board, commission, committee, agency or other governmental entity created pursuant to this title; title 68, chapter 24; and title 68, chapter 140, part 5, shall establish and maintain a link or links on such entity's website to the statutes, rules, policies, and guidelines that are implemented or enforced by such entity and that impact an applicant for, or a holder of, a license, certification, or registration from such entity.

SECTION 4. Tennessee Code Annotated, Section 63-1-139(a), is amended by deleting the language "statutes and rules and regulations" wherever it may appear and by substituting instead the language "statutes, rules, policies, and guidelines".

SECTION 5. Tennessee Code Annotated, Section 63-1-139(a), is further amended by inserting the language "; title 68, chapter 24; title 68, chapter 140, part 5," immediately after the language "pursuant to this title".

SECTION 6. Tennessee Code Annotated, Title 4, Chapter 3, Part 2, is amended by adding the following language as a new, appropriately designated section:

Section 4-3-2\_\_.

(a) The department and any board, commission, committee, or other governmental entity created pursuant to titles 43 and 44 shall notify each applicant for a professional or occupational license, certification or registration from the department, board, commission, agency or other governmental entity where to obtain a copy of any statutes, rules, policies, and guidelines setting forth the prerequisites for such license, certification or registration and shall, upon request, make available to the applicant a copy of such statutes, rules, policies, and guidelines.

(b) The department and any board, commission, committee, or other governmental entity created pursuant to titles 43 and 44 shall:

(1) Notify each holder of a professional or occupational license, certification or registration from the department, board, commission, committee, agency or other governmental entity where to obtain a copy of any statutes, rules, policies, and guidelines that regulate such holder and are implemented or enforced by such entity and shall, upon request, make available to the holder a copy of such statutes, rules, policies, and guidelines.

(2) Annually notify each holder of a professional or occupational license, certification or registration from the department, board, commission, committee, agency or other governmental entity of changes in state law that impact such holder and are implemented or enforced by such entity including newly promulgated or amended statutes, rules, policies, and guidelines.

(c) The department and any board, commission, committee, or other governmental entity created pursuant to titles 43 and 44 shall establish and maintain a link or links on such entity's website to the statutes, rules, policies, and guidelines that are implemented or enforced by such entity and that impact an applicant for, or a holder of, a professional or occupational license, certification, or registration from such entity.

SECTION 7. Tennessee Code Annotated, Title 4, Chapter 3, Part 5, is amended by adding the following language as a new, appropriately designated section:

Section 4-3-5\_\_.

(a) The department and any division, board, commission, committee, or other governmental entity under the jurisdiction of, or administratively attached to, the department shall notify each applicant for a professional or occupational license, certification or registration from the department, division, board, commission, agency or other governmental entity where to obtain a copy of any statutes, rules, policies, and guidelines setting forth the prerequisites for such license, certification or registration and shall, upon request, make available to the applicant a copy of such statutes, rules, policies, and guidelines.

(b) The department and any division, board, commission, committee, or other governmental entity under the jurisdiction of, or administratively attached to, the department shall:

(1) Notify each holder of a professional or occupational license, certification or registration from the department, division, board, commission, committee, agency or other governmental entity where to obtain a copy of any statutes, rules, policies, and guidelines that regulate such holder and are implemented or enforced by such entity and shall, upon request, make available to the holder a copy of such statutes, rules, policies, and guidelines.

(2) Annually notify each holder of a professional or occupational license, certification or registration from the department, division, board, commission, committee, agency or other governmental entity of changes in state law that impact such holder and are implemented or enforced by such entity including newly promulgated or amended statutes, rules, policies, and guidelines.

(c) The department and any division, board, commission, committee, or other governmental entity under the jurisdiction of, or administratively attached to, the department shall establish and maintain a link or links on such entity's website to the statutes, rules, policies, and guidelines that are implemented or enforced by such entity and that impact an applicant for, or a holder of, a professional or occupational license, certification, or registration from such entity.

SECTION 8. Tennessee Code Annotated, Title 4, Chapter 3, Part 13, is amended by adding the following language as a new, appropriately designated section:

Section 4-3-13\_\_.

(a) The department and any division, board, commission, committee, or other governmental entity under the jurisdiction of, or administratively attached to, the department shall notify each applicant for a professional or occupational license, certification or registration from the department, division, board, commission, agency or other governmental entity where to obtain a copy of any statutes, rules, policies, and

guidelines setting forth the prerequisites for such license, certification or registration and shall, upon request, make available to the applicant a copy of such statutes, rules, policies, and guidelines.

(b) The department and any division, board, commission, committee, or other governmental entity under the jurisdiction of, or administratively attached to, the department shall:

(1) Notify each holder of a professional or occupational license, certification or registration from the department, division, board, commission, committee, agency or other governmental entity where to obtain a copy of any statutes, rules, policies, and guidelines that regulate such holder and are implemented or enforced by such entity and shall, upon request, make available to the holder a copy of such statutes, rules, policies, and guidelines.

(2) Annually notify each holder of a professional or occupational license, certification or registration from the department, division, board, commission, committee, agency or other governmental entity of changes in state law that impact such holder and are implemented or enforced by such entity including newly promulgated or amended statutes, rules, policies, and guidelines.

(c) The department and any division, board, commission, committee, or other governmental entity under the jurisdiction of, or administratively attached to, the department shall establish and maintain a link or links on such entity's website to the statutes, rules, policies, and guidelines that are implemented or enforced by such entity and that impact an applicant for, or a holder of, a professional or occupational license, certification, or registration from such entity.

SECTION 9. Tennessee Code Annotated, Title 4, Chapter 3, Part 14, is amended by adding the following language as a new, appropriately designated section:

Section 4-3-14\_\_.

(a) The department and any division, board, commission, committee, or other governmental entity under the jurisdiction of, or administratively attached to, the department shall notify each applicant for a professional or occupational license, certification or registration from the department, division, board, commission, agency or other governmental entity where to obtain a copy of any statutes, rules, policies, and guidelines setting forth the prerequisites for such license, certification or registration and shall, upon request, make available to the applicant a copy of such statutes, rules, policies, and guidelines.

(b) The department and any division, board, commission, committee, or other governmental entity under the jurisdiction of, or administratively attached to, the department shall:

(1) Notify each holder of a professional or occupational license, certification or registration from the department, division, board, commission, committee, agency or other governmental entity where to obtain a copy of any statutes, rules, policies, and guidelines that regulate such holder and are implemented or enforced by such entity and shall, upon request, make available to the holder a copy of such statutes, rules, policies, and guidelines.

(2) Annually notify each holder of a professional or occupational license, certification or registration from the department, division, board, commission, committee, agency or other governmental entity of changes in state law that impact such holder and are implemented or enforced by such entity including newly promulgated or amended statutes, rules, policies, and guidelines.

(c) The department and any division, board, commission, committee, or other governmental entity under the jurisdiction of, or administratively attached to, the

department shall establish and maintain a link or links on such entity's website to the statutes, rules, policies, and guidelines that are implemented or enforced by such entity and that impact an applicant for, or a holder of, a professional or occupational license, certification, or registration from such entity.

SECTION 10. Tennessee Code Annotated, Title 37, Chapter 5, Part 1, is amended by adding the following language as a new, appropriately designated section:

(a) The department and each board, commission, agency or other governmental entity created pursuant to this title shall notify each applicant for a professional or occupational license, certification or registration from the department, board, commission, agency or other governmental entity where to obtain a copy of any statutes, rules, guidelines, and policies setting forth the prerequisites for such license, certification or registration and shall, upon request, make available to the applicant a copy of such statutes, rules, guidelines, and policies.

(b) The department and each board, commission, agency or other governmental entity created pursuant to this title shall:

(1) Notify each holder of a professional or occupational license, certification or registration from such board, commission, agency or other governmental entity where to obtain a copy of any statutes, rules, policies, and guidelines that regulate such holder and are implemented or enforced by such entity and shall, upon request, make available to the holder a copy of such statutes, rules, policies, and guidelines.

(2) Annually notify each holder of a professional or occupational license, certification or registration from such board, commission, agency or other governmental entity of changes in state law that impact such holder and are



implemented or enforced by such entity including newly promulgated or amended statutes, rules, policies, and guidelines.

(c) The department and each board, commission, agency or other governmental entity created pursuant to this title shall establish and maintain a link or links on such entity's website to the statutes, rules, policies, and guidelines that are implemented or enforced by such entity and that impact an applicant for, or a holder of, a professional or occupational license, certification, or registration from such entity.

SECTION 11. Tennessee Code Annotated, Title 45, Chapter 1, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section 45-1-1\_\_.

(a) The department and each board, commission, agency or other governmental entity created pursuant to this title shall notify each applicant for a professional or occupational license, certification or registration from the department, board, commission, agency or other governmental entity where to obtain a copy of any statutes, rules, guidelines, and policies setting forth the prerequisites for such license, certification or registration and shall, upon request, make available to the applicant a copy of such statutes, rules, guidelines, and policies.

(b) The department and each board, commission, agency or other governmental entity created pursuant to this title shall:

(1) Notify each holder of a professional or occupational license, certification or registration from such board, commission, agency or other governmental entity where to obtain a copy of any statutes, rules, policies, and guidelines that regulate such holder and are implemented or enforced by such entity and shall, upon request, make available to the holder a copy of such statutes, rules, policies, and guidelines.

(2) Annually notify each holder of a professional or occupational license, certification or registration from such board, commission, agency or other governmental entity of changes in state law that impact such holder and are implemented or enforced by such entity including newly promulgated or amended statutes, rules, policies, and guidelines.

(c) The department and each board, commission, agency or other governmental entity created pursuant to this title shall establish and maintain a link or links on such entity's website to the statutes, rules, policies, and guidelines that are implemented or enforced by such entity and that impact an applicant for, or a holder of, a professional or occupational license, certification, or registration from such entity.

SECTION 12. Tennessee Code Annotated, Title 71, Chapter 1, Part 1, is amended by adding the following language as a new, appropriately designated section:

(a) The department and each board, commission, agency or other governmental entity created pursuant to this title shall notify each applicant for a professional or occupational license, certification or registration from the department, board, commission, agency or other governmental entity where to obtain a copy of any statutes, rules, guidelines, and policies setting forth the prerequisites for such license, certification or registration and shall, upon request, make available to the applicant a copy of such statutes, rules, guidelines, and policies.

(b) The department and each board, commission, agency or other governmental entity created pursuant to this title shall:

(1) Notify each holder of a professional or occupational license, certification or registration from such board, commission, agency or other governmental entity where to obtain a copy of any statutes, rules, policies, and guidelines that regulate such holder and are implemented or enforced by such

entity and shall, upon request, make available to the holder a copy of such statutes, rules, policies, and guidelines.

(2) Annually notify each holder of a professional or occupational license, certification or registration from such board, commission, agency or other governmental entity of changes in state law that impact such holder and are implemented or enforced by such entity including newly promulgated or amended statutes, rules, policies, and guidelines.

(c) The department and each board, commission, agency or other governmental entity created pursuant to this title shall establish and maintain a link or links on such entity's website to the statutes, rules, policies, and guidelines that are implemented or enforced by such entity and that impact an applicant for, or a holder of, a professional or occupational license, certification, or registration from such entity.

SECTION 13. Each entity subject to the provisions of this act shall promulgate rules to effectuate the purposes of this act. All such rules shall be promulgated in accordance with the provisions of the Uniform Administrative Procedures Act, codified in Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 14. For the purposes of promulgating rules, creating databases, and publishing forms and webpages, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2009, the public welfare requiring it.